

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 167, “Juvenile Detention Reimbursement,” Iowa Administrative Code.

These proposed amendments clarify procedures for juvenile detention facilities to follow when seeking annual cost reimbursement. Juvenile detention facilities eligible for cost reimbursement will have more clearly defined standards and the changes to dates related to process claim reimbursement.

Any interested person may make written comments on the proposed amendments on or before January 23, 2018. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by email to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 234.6.

The following amendments are proposed.

ITEM 1. Adopt the following **new** definition of “Detained” in rule **441—167.1(232)**:

“*Detained*” means the period of time a youth is physically occupying a bed in a juvenile detention home (that is, from the time of intake at the juvenile detention home (nothing prior to this) to the time a youth is discharged from the bed at the home (nothing after this)).

ITEM 2. Amend rule 441—167.3(232) as follows:

441—167.3(232) Eligible facilities detention homes. County and multicounty juvenile detention homes shall be eligible for reimbursement under this program when:

167.3(1) No change.

167.3(2) The home submits the ~~following reports in paragraphs 167.3(2)“a” and 167.3(2)“b” by May 15~~ March 15 and the certified audit in paragraph 167.3(2)“c” by March 15 or within ten days of completion if after March 15 of the year following the conclusion of the state fiscal year for which reimbursement will be made:

a. A written statement delivered in printed form or via electronic mail identifying the eligible total net cost that will be claimed under rule 441—167.5(232).

b. A printed or electronic copy of the ~~following sections of Form 470-0664, Financial and Statistical Report for Purchase of Service Contracts:~~ department-authorized financial and statistical report for juvenile detention homes.

(1) to (4) No change.

c. No change.

167.3(3) The department has reviewed the information submitted and determined that the costs to be claimed meet eligibility requirements. Eligible costs shall be determined by using a cost allocation methodology that follows generally accepted accounting principles (GAAP). Eligible costs shall be based on the portions of the allowable costs that are directly attributable to the function of detaining youth in the home.

- a. and b. No change.
- c. Costs of alternatives to detaining youth in the approved detention home are not eligible for reimbursement. Services ineligible for reimbursement include, but are not limited to:
 - (1) Community tracking and monitoring activities.
 - (2) Transportation during the time a youth is detained that is not related to detention service or care and keep or that is the responsibility of or funded by another source.
 - (3) Outreach services.
 - (4) In-home detention.
- d. No change.

ITEM 3. Amend rule 441—167.4(232) as follows:

441—167.4(232) Available reimbursement. The reimbursement for the participating ~~facilities~~ detention homes shall be ~~the percentage of the allowable costs based on the distribution formula authorized in the appropriation language for the current fiscal year~~ by Iowa law.

ITEM 4. Amend rule 441—167.5(232) as follows:

441—167.5(232) Submission of voucher. Eligible facilities shall submit a complete signed and dated Form GAX, General Accounting Expenditure, to the department to claim reimbursement.

167.5(1) Form GAX shall be submitted to the Department of Human Services, Division of Fiscal Management, First Floor, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, by August 10 1.

167.5(2) ~~The form~~ Form GAX shall include the total net eligible costs incurred between July 1 and June 30 of the year covered by the reimbursement. ~~The total net eligible~~ These costs will be used to calculate the ~~legislatively authorized percentage of the home's allowable costs for the year covered by the reimbursement~~ reimbursement amount based on the distribution formula authorized by Iowa law.

167.5(3) Only facilities that submit Form GAX by August 10 1 shall receive reimbursement.

ITEM 5. Amend rule 441—167.6(232) as follows:

441—167.6(232) Reimbursement by the department. Reimbursement shall be made ~~by August 31~~ to those participating ~~facilities which~~ juvenile detention homes that have complied with these rules.